

**AMENDMENTS TO THE DRAWINGS:**

Applicant(s) submit(s) herewith 2 sheets of new drawings. The amendments to the drawings are as follows:

Figure 2 was amended to remove reference character 22.

Figure 3 was amended to correctly label control apparatus 80, receiving cylinder 82, metering cylinder 84, transfer pump 86, electrical box 94, controls 96, and controller 98. Figure 3 was also amended to include reference character 88, return line.

## **REMARKS**

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of August 20, 2008. Claims 1-9 are currently pending in this application. Claims 2-4 and 6-9 have been amended. Claim 10 is new.

### **I. The Office Action**

The drawings are objected to for informalities.

The specification is objected to for informalities.

Claims 2 and 3 are objected to for informalities.

Claims 4-9 are objected to under 37 C.F.R. 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim.

Claims 1-3 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 8-10 of co-pending Application No. 10/534,264.

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by McBain et al. (2002/0039656).

### **II. Drawing Objections**

The drawings were objected to as failing to comply with 37 C.F.R. 1.84(p)(5) because they do not include the following reference sign mentioned in the description: 88 on page 7, line 25 in the specification. Figure 3 has been amended to properly reflect reference number 88.

The drawings were objected to because control apparatus 80, receiving cylinder 82, metering cylinder 84, transfer pump 86, electrical box 94, controls 96, and controller 98 are mislabeled in fig. 3. Figure 3 has been amended to reflect the correct labeling.

The drawings were further objected to as failing to comply with 37 C.F.R. 1.84(p)(5) because they include the following reference character not mentioned in the description: 22. Figure 4 has been amended deleting reference numeral 22.

In light of the foregoing, the drawings are now in proper compliance. Therefore, it is respectfully requested that the objections be withdrawn.

### **III. Specification Objection**

The disclosure is objected to due to minor typographical errors. The Examiner suggests that, on page 14, line 4, "...need to be m" should read "...need to be run". Applicant asserts that the specification originally read "...need to be rn" due to a typographical error. The specification has been amended to recite "need to be run." As such, the objection should be withdrawn.

### **IV. Claim Objections**

Claims 2 and 3 are objected to due to minor typographical errors. The Examiner suggests that "one voids" in claim 2 should read "one of voids." The Examiner further suggests that "coating compositions" in the phrase "...one or more injection pressures for said coating compositions," of claim 3 should read "coating composition." Claims 2 and 3 have been amended to comply with the Examiner's suggestions. Therefore, the objections to claims 2 and 3 should be withdrawn.

Claims 4-9 are objected to under 37 C.F.R. 1.75(c) as being in improper form because a multiple dependent claim cannot depend on another multiple dependent claim. Claims 4, 6, 7, 8 and 9 have been amended so as not to depend from a multiple dependent claim. As such, the objection should be withdrawn and claims 4-9 should be examined.

### **V. Double Patenting Rejection**

Applicants recognize the Examiner's provisional rejection of claims 1-3 on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 8-10 of co-pending Application No. 10/534,264. Should the Examiner maintain his position that the rejection is appropriate, Applicants state their willingness to consider filing a terminal disclaimer once the co-pending Application No. 10/534,264 and/or the present application become allowed. However, at this point, Applicants believe such a filing will be premature.

## **VI. Rejection of Claim 3 Under 35 U.S.C. 112, Second Paragraph**

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner asserts that in claim 3, the “first set of process conditions” includes both process conditions for the first composition and the coating composition. However, in claim 1, the “first set of process conditions” applies to forming the coating on the first composition. According to the Examiner, the different scope of “first set of process conditions” in claims 1 and 3 render the claim indefinite. Claim 3 has been amended removing the process conditions related to the coating composition. Therefore, Applicant respectfully requests withdrawal of the §112 rejection against claim 3.

## **VII. Rejection of Claims 1-3 Under 35 U.S.C. 102(b)**

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by McBain et al. (2002/0039656). Applicant submits that this rejection should be withdrawn because McBain does not teach or suggest the invention as set forth in claim 1.

More particularly, claim 1 recites a method for assuring that coated molded articles meet predetermined quality standards. The articles are formed entirely in a mold by a process that includes forming a substrate from a first composition using a first set of process conditions and subsequently, using a second set of process conditions, coating said substrate by injecting a coating composition into said mold and allowing said coating composition to cure on said substrate so as to provide a coated molded article. The method includes inspecting a first coated molded article manufactured by the process after the article is removed from the mold; determining whether the coated molded article meets quality standards for substrate formation and, if the article does not meet such standards, modifying the substrate formation step of the process by adjusting one or more of first composition injection volume, first composition injection temperature, first composition injection pressure, and substrate molding pressure. The method further includes determining whether the coated molded article meets quality standards for coating and, if the article does not meet such standards, modifying the coating step of the process by adjusting one or more of cure time, injection time, injection pressure, injection volume, injection temperature, and mold temperature at injection of said coating composition. The determination step includes determining (i) whether said coating is intermingled with the

substrate, (ii) whether a surface appearance of the coating is acceptable, and (iii) whether the coating is sufficiently adhered to the article, the mold optionally having a constant volume maintained throughout the process. Applicant asserts that McBain does not teach or suggest the foregoing steps of claim 1.

In particular, McBain fails to teach or suggest a method for assuring that coated molded articles meet predetermined standards, including the step of determining whether the coated molded article meets quality standards for coating, and if it does not, modifying the coating step of the process by adjusting one or more of cure time, injection time, injection pressure, injection volume, injection temperature, and mold temperature at injection of said coating composition. Paragraphs [0066]-[0070] of McBain describe variables that may be adjusted to optimize substrate formation; however, such variables are not discussed in reference to the coating composition. The only mention of adjusting the injection of the coating is found in paragraph [0071] of McBain, in which McBain teaches “[h]aving determined the optimum parameters for production of the substrate, one must then determine, by reference to appropriate tables or by measurement, the melt temperature of the substrate so that the IMC may be injected at the proper time.”. The tables referred to (II-III) describe the substrate materials and the machine settings found to yield optimum results. The tables indicate the optimal substrate materials and variables, not the optimum coating variables, as is claimed in claim 1.

In addition, McBain does not teach or suggest a method for assuring coated molded articles meet predetermined standards that include determining whether the coated molded articles meet predetermined standards by determining whether the coating is intermingled with the substrate, whether a surface appearance of the coating is acceptable, and whether the coating is sufficiently adhered to the article. The Examiner cites a list of paragraphs that allegedly read on this feature; however, McBain provides no teaching of determining whether the coating is intermingled with the substrate, whether a surface appearance of the coating is acceptable, or whether the coating is sufficiently adhered to the article.

For at least the aforementioned reasons, McBain fails to teach or suggest the subject invention as recited in independent claim 1 and claims 2-9 that depend therefrom. Accordingly, it is respectfully requested that the rejections be withdrawn and the pending claims allowed.

## **CONCLUSION**

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-10) are now in condition for allowance.

Respectfully submitted,

FAY SHARPE LLP

November 20, 2008

Date

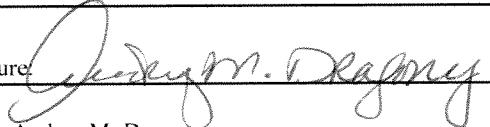
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